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THE SPEECH

OF

MR. JOHNSTONE,

ON

MR. CURWEN'S BILL,

FOR BETTER SECURING THE

INDEPENDENCE AND PURITY OF PARLIAMENT,

AND MORE

EFFECTUAL PREVENTION OF BRIBERY.

FRIDAY, MAY 19, 1809.

LONDON:

PRINTED FOR J. BOOKER, 61, NEW BOND-STREET,

By W. Clowes, Northumberland-court, Strand.

1809.

AC 911. 1809. Jn3

ADVERTISEMENT.

The following Speech was delivered in an early stage of Mr. Curwen's Bill, at an hour of the night too late to be conveyed to the notice of the Public through the usual channel of the Newspaper. It is now printed, in the hope that it will have a tendency to convince its Readers, that the conduct of Parliament in late years will bear a comparison with the conduct of our ancestors, in what have been termed the best periods of our history.

THE SPEECH,

&c.

MR. SPEAKER,

I MUCH approve of the sentiments expressed by the Honourable Gentleman * who first spoke in this Debate. He has stated sufficient ground to satisfy the House, that if it were to adopt the remedies proposed by the Author of the Bill, there would ensue evils much greater than those which it is now sought to cure. But there are reasons still more cogent, which induce me to believe, that it is the duty of the House to reject the proposition in its present stage. This is a measure of no ordinary nature; my Honourable Friend modestly professes to desire only to carry into effect the Resolutions which stand recorded on our Journals; but his Bill is broad and comprehensive in its enactments; and, if passed into a law in its present shape, will alter the composition of Parliament in such a degree, that few, indeed, of the persons I have now the honour

* Mr. Ridley Colbourne.

to address, could retain their seats, if they complied strictly with all the obligations about to be imposed.

It appears to me, that there is no sufficient ground stated for the House to adopt measures of so dangerous and so indefinite a nature. The Constitution, under which we enjoy so many blessings, is not the work of art; it is not the work of human wisdom alone, but has been produced by a happy combination of circumstances, during the lapse of ages; and to hazard the safety of such a fabric by measures of dangerous reform, whose consequences the House cannot calculate, seems to be the height of folly and presumption. The Honourable Baronet * has quoted, with great approbation, the Treating Act, the Bribery Act, and the Act for regulating Elections; I concur with him in the applause that he has bestowed upon those wise statutes; but I wish the House to regulate its conduct by the conduct pursued by our ancestors on those important occasions. It was not on any speculative principles that those Acts were adopted; it was not until the evils they were meant to remedy were felt and observed, in their practical effects. Our ancestors were long aware of the consequences of excessive treating at elections; but it was not until the year 1696, when great and extensive evils were endured, by the competition among the great families

* Sir Watkin Wynne.

to obtain returns to Parliament, that any legislative remedy was judged necessary. In like manner, bribery may have been coeval with the importance attached to seats in this House; but it was not until the evil was brought before the view of our ancestors, in an aggravated form, at the election for Beverley, that the present Act to prevent it was adopted. So, also, the partial decisions on controverted elections had been complained of for a length of time; but it was not until the disease assumed a more malignant character—it was not until Parliament, reviewing the repeated decisions it had pronounced, under Ministerial influence, on the case of Mr. Wilkes, became ashamed of its own conduct, and applied the remedy contained in Mr. Grenville's Act.

Since all legislative provisions are in themselves evils, by restraining natural liberty, it is not a sufficient ground to have recourse to them, that certain habits prevail which seem unbecoming and improper. We must trace them in their practical consequences; and before the House adopts a legal remedy some practical evil should be apparent, of a plain, distinct, and unequivocal nature.

Now, Sir, whatever may be the various means by which Gentlemen attain the honour of sitting in this

House, where shall we find the practical evils of the present Constitution? Is it in the admission of persons unworthy of so high a trust from education, from character, or from manners; or is it in the neglect and misconduct of Parliament itself? I am aware, that Parliament, out of doors, is charged with every degree of misconduct. I know, that we are said to be utterly unworthy of public trust; but because we are calumniated abroad, let us not calumniate ourselves. Let our proceedings be carefully examined; let our conduct be compared with the conduct of other public bodies, in other nations, intrusted with similar power, or compared with the conduct of our ancestors in the best periods of our history; and let the country decide whether we have discharged our duty. Let us be judged with reference to what has existed in any age, or in any country. From such an ordeal we shrink not; but let us not be tried on theoretic principles of virtue, which have never had a practical existence, and are, in fact, inconsistent with the frailties of human nature.

To listen to what has been expressed out of doors, and what indeed has been hinted within these walls, it might be supposed that the Parliament of England resembled the Senate of Venice, legislating only for its own benefit and advantage; but what foundation

exists for this and other charges? Have the Members of this House been found to exempt themselves from the public burdens in any instance? or, on the contrary, is it not notorious that, amidst the difficulties induced by extended taxation, whenever we are at a loss for a new tax, we have immediate recourse to that class of tax, which bears more immediately upon ourselves—to the assessed taxes? Have we, in any instance, sought peculiar privileges for ourselves? Is not every one of those, which existed at his Majesty's accession to the throne, now abolished? And so little effort did this seem to require, that the Bill by which the last of our privileges was extinguished, (Mr. Serjeant Best's Bill,) passed through the House almost without notice; and the process of the law is now, in every respect, the same towards Members of this House as towards the lowest and meanest individual in the land. Gentlemen appear to be surprised that I should even mention such topics, so little does the idea enter into the mind of any one among us; but let it be recollected, that to obtain exemptions and privileges for their members, has been the first effort of all public bodies in foreign countries, possessing powers similar to our own.

But are we less careful of the public money than

were our ancestors? Is Parliament more disposed to lavish the resources of the State than in other times? Amidst facts innumerable, since the Revolution, it is sufficient to state, that even so late as in this reign, when, in 1769, it was proposed to pay the debts of the Civil List, Parliament voted the money required; and yet Ministers refused to produce the accounts, by which alone the propriety and necessity of the grant could be judged. In the present time, does there exist a Minister so lost to all sense of propriety as thus to conduct himself? or, if such a Minister could be found, is there a man within these walls, who would not raise his voice to express his indignation?

But it is said, that there prevails the greatest abuse in the expenditure of the public resources, and that we are unwilling to make a reform.—Is there any truth, any justice, in the charge?—The knowledge obtained upon this subject is, in itself, a proof of strong desire to reform and amend; since it is the result of the labours of Committees appointed by Parliament, with a view to examine, and correct, whatever of evil may exist in our system. But with all our diligence, and all our researches, what is the amount of the abuses we have discovered, and what the conduct we have adopted? The abuses discovered in the Naval

branch of expenditure, by the laborious diligence of a most meritorious Commission, must be pronounced as very inconsiderable, compared with the extent of the service. And even the abuses that existed were chiefly carried on in the West Indies, which is beyond the reach of ordinary vigilance, and have now ceased. In the expenditure of the Military department there has been found more ground for complaint, as was to have been expected from the indefinite nature of the service to be performed. But has there been shown any tardiness to restrain the evil when discovered? and are not remedies applied, such as promise to be effectual? It had been truly said, that the abuses in each Gentleman's private household exceeded the abuses in the public disbursement, on a comparison of their respective amounts. Let Gentlemen consider the prodigious magnitude of the services which are carried on; let them consider that they extend to every quarter of the globe; and is it astonishing that, under such circumstances, all the vigilance, all the attention of Government, should sometimes be unable to prevent the frauds of the persons in whose hands such trusts are reposed? Do Gentlemen expect that any Government should be more vigilant in the discharge of its functions than is the Bank itself, whose attention, whose regularity, has ever been proverbial? and yet we find, that in the very simple func-

tions which belong to that body, and in spite of all its care, a fraud was practised upon it a few years ago, to an extent far exceeding any which has taken place in the various and complicated duties, that belong to Government. But here again, to form a just estimate of what is due to ourselves, let us compare the practices of former times; let us look to the abuses that existed in the time of the Duke of Marlborough, in which he himself, as Commander in Chief of the army, was a participator. What was the conduct of Mr. Walpole, when Secretary at War? So late as in the seven-years' war, similar practices prevailed to a degree which enabled our Commissaries to start into rivalry with the most ancient and opulent families of the kingdom. In the American war they likewise existed, though not to so enormous an extent; but in the present times the House has the satisfaction to know, that these evils have in all cases been mitigated, and in many completely restrained. Where our Commissaries are within the control of Government, they have executed their duty with singular purity and honour; in Holland, in Egypt, in Hanover, in Spain: and if in the West Indies considerable frauds were practised in the year 1796, effectual means of correction have now been adopted.

Did the proceeding of the House, not many nights

ago and the countenance given to the propositions of an Honourable Gentleman *, show an unwillingness to examine and amend whatever there be of evil in our institutions? Did it not appear that the pensions and sinecures amounted only to one hundred and eightieth part of our annual expenditure? and was there not manifested, on all sides of the House, a disposition to retrench any part of this charge, which should on a fair examination appear superfluous? Is it no proof of public virtue that a revenue exceeding 60 millions is collected at no greater expense than 2,700,000l.; a less rate than is paid by many individuals in this House for the sale of their sugars, or is allowed by the Lord Chancellor to the Receiver of any landed estate under his authority? Far from acknowledging neglect or criminality, I confidently maintain, that the conduct of Parliament, in late years, gives it a claim to the confidence and gratitude of the country, which our ancestors never possessed.

But it is said, that, on a late memorable occasion, Parliament displayed the grossest proof of misconduct, of corruption, and of contempt of the sentiments and opinions of its constituents. So little am I disposed to regard this transaction in the same light, that I do not hesitate to assert, that when the passions of the people shall be so far abated as to enable them to take

* Mr. Henry Martin.

a calm and dispassionate view of all the circumstances attendant on it; or were an intelligent foreigner required to pronounce upon it, it must be declared to be a case, which, beyond all others, manifests the power of the popular branch of our Constitution. The son of our Sovereign holding an office of the highest trust, which, by the acknowledgment of all mankind, he had discharged with eminent ability, put upon his trial by the unanimous voice of this House, on the accusation of a person very little known in Parliament, and totally unsupported by any party. After a most patient and laborious investigation, where the chief evidence was a woman under the influence of jealousy and hatred, altogether destitute of character or morals, a personage so exalted in rank and dignity compelled to retire from his high situation, in spite of all the efforts of Administration, aided and supported by such parts of Opposition as had ever filled or entertained an expectation of filling public stations.

But it is denied that this resignation was the result of the opinion expressed by the House of Commons itself. It is said a very large proportion of the House decided favourably to the Duke of York, and that it was the voice of the people, alone, which compelled him to resign. In the view that I take of our Constitution, considering it as a machine for practical purposes, I am satisfied when a beneficial result is attained; nor

am I anxious to inquire, when our object is accomplished, by what means it is brought about; but surely it was Parliament itself that compelled his Royal Highness to resign. No person who observed the public proceeding of the House, and knew the feelings and sentiments that pervaded it, would deny that it was prepared ultimately to have concurred in a vote for his Royal Highness's removal from office, had not his resignation prevented it; although it refused to record on the Journals a resolution, which, in a case of much doubt, affixed an indelible reproach on his character.

But I am prepared to go still further, and to assert that this result is, in reality, the most beneficial that could be attained; and such as a moderate and politic person would have desired, whatever had been the light in which he viewed the conduct of the Duke of York. By his removal from office, the great practical object in view was attained; and for all purposes of example, the public nature of the inquiry, and the result, would operate to deter others, quite as forcibly, as if we had proceeded to the severest punishment: at the same time, by refusing to record on our Journals the Resolutions proposed, we abstained from degrading Monarchy in the person of a Prince so nearly connected with the throne, and escaped from the serious embarrassments, which would have ensued, had the

Regency, or the Sovereignty of the Realm, descended to a man disgraced and dishonoured by the deliberate and solemn vote of Parliament. Lamentable, indeed, will be the condition of the country, when Parliament shall be found insensible to the feelings of the nation; but far more calamitous will be the times, when it shall become the mere echo of the voice of the people. Individually we ought to sympathize, we ought to partake of every sentiment of those, by whom, and for whom, our authority is constituted. But in the resolves of Parliament, the sentiments of the people ought ever to appear softened and refined; divested of all their grossness; and, above all, purified from that passion and violence which is inseparable from popular feeling.

But it is contended, that the practices which this Bill attempts to remedy are contrary to the theory of our Constitution. After what has passed in Parliament; after it has been said, that the practice complained of is *notorious as the sun at noon-day*, it would be prudery in me to deny that something of the kind may exist. But I cannot admit that it is *notorious as the sun at noon-day;* and if such abuses prevail, I believe them to have been uniformly practised in secrecy. When Gentlemen, however, appeal to the theory of our Constitution, they appeal to that which I do not distinctly comprehend, to something

of which I suspect they themselves have no very definite conception. So much, however, is certain, that every theory of our Constitution differs altogether from the practice. Our theory supposes the power of the Constitution to be lodged in three branches, checking and controlling each other; while it is perfectly evident, that, by the change of circumstances, the whole practical power of the Constitution is vested in the House of Commons, which, by withholding supplies, may entirely control the other two branches of the Constitution. It is sufficient for me to know, that it has produced greater practical benefits than have been found to exist in any other Government, ancient or modern; and, as long as we continue to enjoy such blessings, I shall never be studious in the pursuit of theoretical amendments.

But another, and a better ground, is taken, when Gentlemen say, we seek to restore the Constitution to its ancient purity;—this I fully comprehend; I join issue with them; and if they will point out the times in which greater purity existed than in the present times, I will gladly recur to the practices which then prevailed. But let us examine this question: Gentlemen would scarcely wish to go back to the times of the Tudors, when Parliament was the base instrument of the legal vengeance of our Monarch. As little

would they recur to the times of the Stuarts. Many useful laws were enacted in the reign of Charles the Second; but will it be denied, that almost all the chief leaders in the House were actually in the pay of France? But I suppose that we are to look for an example in the reign of King William, when those self-denying ordinances, which are so much the object of admiration in the present day—the laws against placemen and pensioners—were passed. Let us look a little at the practice of those times: is it not notorious that the Monarch himself received a present of 10,000l.; that the Lord President of the Council received 5000l.; and that a person was found, who disgraced the chair now so honourably filled, by the acceptance of a bribe of 1000l.? Nor are these solitary cases. There is scarce a page of the history of those times, in which something of the same sort will not be found. If we proceed to the succeeding reigns, we shall find our Ministers, Walpole and Stanhope, acknowledging in this very House their mutual peculations and embezzlements. In the following years, how many abuses were practised in respect of the South-Sea bubble, and the Corporation for the Benefit of the Poor? and how many Members of this House were expelled, in consequence of the grossest frauds? Surely then, in no part of Sir Robert Walpole's Administration, shall we find an example of that purity

to which we may refer; in fact, it was not until the Administration of Mr. Pelham that Ministers were free from the reproach of personal corruption—not such practices as are now stated to exist; not the exertion of influence; not arrangements, by which men may come into Parliament here to exercise a free agency—all which prevailed to the same degree as at present—but the absolute receipt of monies, of bribes in their own persons, for the vilest and most unworthy purposes. Perhaps it is impossible better to illustrate the difference between those times and the present, than by a reference to what took place concerning the very piece of ground at Chelsea, which has been a matter of so much discussion. Sir Robert Walpole, the Minister, without a pretence, scrupled not to obtain from the Crown a grant of the land of a national charity, for his own individual benefit; and the transaction passed entirely without notice—whilst the grant of a part of that very ground, for a valuable consideration, proceeding through all the forms required by the law, has set the nation in a ferment. In saying this, however, I desire not to be understood as approving, in any degree, of the latter transaction; it is not for the credit of Government, and ought to have been avoided.

But let us look at times somewhat more within our own memories; let us look at the Administration

of Lord North. It were needless to weary the attention of the House, by tracing the various instances of Ministerial influence, and of Parliamentary servility, exhibited in the proceedings on the Middlesex Election; it is sufficient to state, that towards the close of the American war, when most of the counties in England had petitioned for a careful review of our expenditure, the motion of Sir George Saville, for laying before Parliament the Pension-List, was rejected, and Ministers condescended to inform the House of such pensions only as were payable at the Exchequer. Does any Minister now exist so hardy as to propose to Parliament such a vote? or if, lost to shame and prudence, he suggested such a proposition, how many of this corrupt and degraded Parliament would support him?

These facts are sufficient to prove how much more pure and honest is the present practice of Parliament, when compared with any former period of our history; and, indeed, Gentlemen, when they talk of restoring the Constitution to its ancient purity, are themselves compelled to acknowledge, that our Constitution is in a progressive state of amendment. An Honourable Gentleman *, himself the chief supporter of reform, distinctly stated the fact; he told us, that Parliament

* Mr. Whitbread.

was reforming itself; that since the Grenville Act the franchise of three Boroughs had been extended; and that every Borough in the kingdom was attempting to free itself from the control of the patron by whom it had hitherto been ruled. The fact is undeniable; and if 275 Members were returned to Parliament by individual interest, as was stated in the Petition for Reform in 1797, the proportion is now greatly diminished. No one can deny the sentiment that now pervades every town and city in the empire; nor is it to be doubted, that in a very few years their independence will be exerted to such a degree, that no returns will be made by individuals, but those who are possessed of Burgage tenure.

Is it nothing, likewise, that, by the operation of the wise laws alluded to early in the Debate, all the disorder, all the riot, all the confusion formerly incident to elections, is at an end? In former times these were great and serious evils; they were not the pretences on which the Septennial Act was justified; but they were felt by grave and well-disposed persons to be of such a nature, as greatly to serve in justifying Parliament, when it extended its own power and duration. Even Mr. Burke, in our own times, in arguing this question, speaks of the disorders, attendant on elections, as an important consideration, why the du-

ration of Parliaments should not be shortened. Every one has read of the disorders that ensued in the metropolis, on the election of Trentham and Vandeput; we ourselves witnessed the evils incident to the elections of Mr. Fox and Lord John Townshend. Is it no benefit, that such scenes of violence and disorder are now entirely at an end; and that the elections in 1806 and 1807 were conducted with as little confusion as occurs in the annual choice of our magistrates?

Another great and important change stands recorded, by the most incontrovertible of all evidence—our own proceedings. The House had occasion to scrutinize the mode of election in no less than eighty cases, in the short space of a twelvemonth; and in no one instance was bribery proved to have been practised; and in very few was it even alleged. When there exists such manifest proof of the amended state of our representation, when our laws have been so far effective, it is a little too much for the Honourable Mover of this Bill to propose to us to enact new and severe laws for the purpose of correcting bribery. This part of his Bill is, at least, unnecessary; it is in absolute contradiction to the evidence before us, and seeks to remedy an evil, which is proved to be sufficiently restrained by the laws now actually in being.

But the Honourable Gentleman complains, that the landed interest has lost its preponderance, and that the influence of the monied interest is now too great—an evil which he hopes to cure by the present Bill. I would remind the Honourable Gentleman, that this complaint is not new; that it has existed in all times; and was never more loudly urged, than in those times of purity to which we are referred—the times of King William; then also was it attempted to set up a distinction between the monied and the landed interest, with as little success as, I hope, will attend the present effort. The Honourable Gentleman deems this mischief to have prevailed chiefly since the year 1784; and even the Right Honourable Gentleman* (whose opinions I much admire on all other points) seems to think, that, by the transactions which then occurred, a great change was produced in our Constitution. I agree with that Right Honourable Gentleman, that a great change did then take place; but it was a change not injurious to the popular branch of the Constitution; it was the triumph of the popular part of the Constitution over the House itself. In adopting Mr. Fox's East-India Bill, and by the measures it afterwards pursued, to restore Mr. Fox and Lord North to his Majesty's Councils, Parliament acted in direct opposition to the feelings and sentiments of the people; and we need not be astonished,

* Mr. Windham.

that in the result of the conflict it was defeated. The alteration resulting from that transaction, and the change of Representatives in so many places, which ensued upon the general election, consisted, not in any preference for the monied interest, as contrasted with the landed interest, but in moderating the strong spirit of Party which before prevailed in the House and the Nation. And here I must permit myself a very short observation, on the anxiety Gentlemen manifest to profess themselves Party-men, and to contend that it is the best and most honourable conduct that can be pursued in Parliament. It is not, however, to discuss the question, but to profess my own conviction that public duty is far better discharged by an imitation of the Member for Yorkshire *, who, keeping his mind entirely free from all Party bias, is ever ready to throw the great weight resulting from his talent and integrity into that scale, which is in danger of being forced from its proper balance.

Waving, however, further observation on this point, it cannot be denied, that, if Party must exist, it is highly desirable, it should exist in the most mild and moderated form. This I consider to have been the fact in a remarkable degree since the year 1784, and the reason is evident: If, on the

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* Mr. Wilberforce.

one hand, difference of principle among parties would seldom lead to danger or violence, were it not united with a difference of interest among the individuals of which parties are composed; so, on the other, Party, when proceeding solely from motives of individual interest, cannot lead men long to depart from truth and justice, in a cultivated age such as the present. In the times of the Stuarts a great difference of principle existed, even among good men, as to the relative power of the Crown and of the people. It was not altogether settled at the Revolution, since King William ventured to set the will of the Crown in opposition to the feeling of the people, in respect to some of our best and most wholesome laws, particularly the law for regulating trials for treason, which he rejected during several Sessions, and to which his assent was not obtained until the latter period of his reign. The throne was secured to the House of Brunswick by the efforts of the Whigs; and they continued to govern the kingdom until the accession of his present Majesty. From that date no difference has existed in this country, founded on any difference of political principle; all classes of Party-men have sought only to preserve the Constitution such as it is; but the contest that arose respecting the line of policy to be pursued towards America, and the opposite opinions maintained in Parliament for so long a time

upon that subject, had, in a manner, enlisted Parliament under separate Leaders. By an union, they at once endeavoured to control their Sovereign, and ventured to disregard the opinions of the people. Since the failure of that attempt, the Party-feeling that has prevailed in the House has been nothing more than preference for one or other of the great Leaders, now unfortunately no more, whose talents guided its Debates. In point of practical conduct, it is probable that, whichever had been the Minister, nearly the same measures, as have been pursued, would actually have been adopted. Under such circumstances, it is not possible that the spirit of Party should pervert, in any very great degree, men's fair and honest judgments. By this abatement of Party-spirit; by the great influence of public opinion on our proceedings; and sometimes by the direct part, which the people have taken in public affairs, expressed in the resolutions of public bodies; the increase of the influence of the Crown, arising from its enlarged revenue and expenditure, has been counteracted. Since that time, the warmest friends and the most zealous supporters of Administration have always reserved to themselves a freedom to withhold their support, and even to oppose measures of which they did not approve; and Parliament will be found to have displayed a degree of independence, which, on no former occasion, was manifested. Symp-

toms of this spirit were first shewn in respect of taxation. In former times, a Minister, who failed in persuading Parliament to adopt a tax, seldom retained his power any long period of time. The fall of Sir Robert Walpole soon followed the rejection of his propositions for the Excise; but Mr. Pitt was compelled to give up the Shop-Tax, the Maid-Servants' Tax, and the Tax on Succession to real Property, without any abatement of his general power or influence. When the Declaratory Bill for India was introduced, many of his best friends asserted their free agency, professing still the same warm desire to support his Administration. The same spirit was more distinctly shewn in respect of the general plan of fortification; and, notwithstanding the brilliant success which had attended his measures in Holland, and the recent submission of Spain, when he proposed to involve this country in a war with Russia, the attempt was resisted, and Parliament asserted its right of judgment—a circumstance the more remarkable, when it is considered that this was a question depending on details, known only to the Cabinet, and on which Parliament had always been used to vote on confidence. But the case which, beyond all others, proved the independence and virtue of Parliament, was the proceeding adopted concerning Lord Melville. We saw a Minister, who had been in office for twenty years,

who had displayed great talents and ability, who possessed the favour of his Sovereign, and enjoyed the confidence of his country in a high degree, at once driven into disgrace, for neglecting to restrain the conduct of a dependant in the misuse of the public money. Neither the influence of Administration, the power of the Crown, nor the tears of Mr. Pitt, were found availing to induce the House to abstain from requiring his removal from the Privy Council, on an occasion where he had failed in his duty to his country.

All these are proofs of a degree of independence, of public spirit, and of public virtue, which will not be found in the history of any nation, or in the proceedings of Parliament during the times of our ancestors. They abundantly prove, that we have discharged our duty with honour and integrity; and should induce the House to disregard the present clamour, which must soon subside; being founded in an exaggerated and impassioned view of a late transaction, and in no degree justified by our conduct, which, in every stage, has been wise, moderate, and just.

Influenced by these sentiments, I maintain that no change is necessary; but, even if a change were ne-

cessary, is the Bill of the Honourable Gentleman calculated to amend the character or composition of Parliament? What is the conduct of the persons whom he seeks to exclude from this House? If I ask out of doors, or even if I ask some within these walls, they will answer like the Honourable Baronet*, that they are peculators and jobbers, who having bought their seats, seek only to obtain a remuneration for the expenditure they have thus incurred, who are at all times ready to say to their constituents (in the words of the story), "I have bought you, and now I will sell you." But is this the fact? and are they found to discharge their duty less conscientiously than other Members? What is the class of persons supposed to purchase seats in this House? Merchants of extended connexion, and of great wealth; men who have served their country abroad in the naval and military profession; lawyers of great eminence; or persons who by any other means have arrived at considerable affluence or distinction. Having provided for all the necessaries and luxuries of life, and a surplus still remaining, instead of wasting it in maintaining an increased retinue, or more splendid equipage, they dispose of it in obtaining an introduction to this Assembly, anxious to become known to all who are great and eminent among their countrymen; and often honestly hoping,

* Sir Watkin Wynne.

that when questions come under discussion, in which, from the habits of their life, they are conversant, they may be useful to their country. They are men who have a disposition to preserve, if not always endowed with a capacity to amend, the Constitution of their country. The powers of the Legislature are at least safe in their hands. And what is the course they are found to pursue? They generally support the Ministers to whom his Majesty has intrusted the administration of public affairs; and such generally is the first duty of every good citizen, in dangerous and critical times like the present. But whenever measures of a doubtful nature are proposed, are they the persons who most readily sacrifice their feelings and opinions at the shrine of power? Are they the men who adopt the measures and opinions of Government by wholesale? Consider the case * so lately brought under our review: here we find a Gentleman connected with Government by long habits, and bound by the ties of relation to the chief Minister of Ireland, his guardian and his friend, retiring from the honourable situation which he possessed, rather than give a vote contrary to his feelings. Or, if the test of virtue be the conduct pursued by Members of Parliament in respect of the Duke of York, it will be found that there is among the famed 125 a larger proportion of Gentlemen, such as the present Bill

* The case of Mr. Dick.

would exclude from Parliament, than of persons connected with the landed interest; and an infinitely greater proportion, than of persons who are supposed to be connected with the aristocratic branch of our Constitution.

I call upon Gentlemen on both sides of the House, who have filled official situations, to declare whether it is amongst this class of persons that the most importunate suitors at the Treasury are to be found. For themselves, they are precluded by their situations from seeking any thing; for their families, in general, they have little to desire; for their constituents, no provision can be necessary from the nature of the circumstances. Some may require facilities for their commerce; others may occasionally possess an ambition to be raised to the honour of the Baronetage; but, upon the whole, I am confident that they are the persons, who least frequently are found to solicit favours, and who, in the votes they give, discharge their duty most conscientiously.

Now what ground can there be, either from experience or from speculative reasoning, to suppose that, if the law proposed could be rendered effective, and persons possessing Parliamentary patronage were precluded from disposing of it in the way asserted, and compelled

to fill their seats with Candidates who made them no return, such men would better discharge their Parliamentary duties? Were persons possessing Parliamentary influence so to dispose of it, are we to expect that they would seek no reward, or have no personal objects to gratify? Is this consistent with human nature, or with experience? They would equally seek some selfish gratification; but, instead of obtaining it in the manner they now do, they must obtain it from Government. On this point we are not without experience, and I wish the House calmly to weigh the practical results. Let us suppose a Gentleman, possessed of considerable Parliamentary influence, acquired, as some will say, by the basest arts of management, but, as may probably be the case, by exercising kindness and protection to all around him,—suppose him to seek return, for the pains and labour he has exercised in the acquirement of so great an influence, by introducing to Parliament persons connected with the monied interest,—suppose even that he adopts only such as are recommended by the Treasury; at least the tie by which they are bound is loose in its nature, and will be found to serve only on ordinary occasions. While the machine of State proceeds in its ordinary course they may be found to lend a willing aid; but whenever doubts occur, whenever points arise, on which men of honourable minds may fairly differ,

they will be found divided in opinion, each asserting his own conception of the case. Suppose the same power and influence exerted gratuitously to return to Parliament friends of the Minister; even if that Minister were as great, and as powerful, and as virtuous as Mr. Pitt, could he withhold from one to whom he owed so great an obligation successive degrees of advancement in the Peerage, even if two steps were required in the course of one year? If, on the death of such a Minister, he transferred his powerful aid to his successor, would a Minister, as stern and rigid in the discharge of his duty as Lord Grenville, refuse to such a person those honours of the Peerage, which are mostly confined to characters who have upheld the glory of their country by the most brilliant achievements in its military service, or directed its councils in the Cabinet. Or suppose another course adopted; that, instead of an alliance with Government, he should adopt the Party of Opposition; not only support them by his friends, but at a time, when no hope of returning to power remained, when their case seemed utterly hopeless, actually bring into Parliament several who had once been Members of Administration. If by any change of fortune those Ministers were again called to power, what bounds can be set to his claims, and to their honest gratitude? what honours, what distinctions, would not be heaped upon him? or to what office in the Church, in the

Revenue, or in the Military or Naval service, would not his recommendation be considered to afford a most incontrovertible claim? And are these imaginary cases; or will not every one recognize their existence within his own remembrance? However unfitting, however unseemly, the practice alleged, I do not hesitate to assert, that, in its practical effects, it is far more benefical, than if the possessor of Parliamentary influence be compelled to seek a return in the way described. In the one case, a remuneration is obtained, sometimes from the innocent vanity, often from the laudable ambition, of him who enters this House. In the other, it will be sought by the pursuit of those honours, which ought only to be the reward of eminent service, or by promoting to all the offices of the State the dependents and connexions of the possessors of Parliamentary influence. In the one instance men come into Parliament by means which we may not approve; but, when here, are generally found to exercise their duty with a fair portion of independence and impartiality. In the other, they may enter the House in a manner to which no reproach belongs; but, when here, they will be found to be no more than the mere organs of their patron, who, having made his arrangements with one or other party, announces his will by these his instruments. Can any man hesitate to say by which of these courses the public service will be best promoted? But it is not only on public occasions that

such an influence will be found to be mischievous; even on questions which are more of a judical than of a public nature, in all questions that regard private rights, we shall find that, as often as private Bills are under discussion, the same baneful and predominating influence will assert its power: nor is this mere speculative reasoning; every Gentleman must already have felt and witnessed its operation.

But the Honourable Gentleman has conceived, that by his Bill a larger portion of the landed interest will be introduced to the House. If the landed interest are to exercise the same arts in Boroughs which are now supposed to be practised by the monied interest, I really do not see in what respect we shall be gainers; and if he supposes that persons possessed of Parliamentary influence will use it only in favour of their neighbours in the country, he indulges the most groundless hope. Do the present possessors of influence, who are supposed to disdain all pecuniary advantage, seek for Representatives among that class of persons? Do they not prefer their relations, or persons over whom they can preserve a direct control? or Gentlemen bred to the law, who, by their talents and elocution, may advance the interests of the party they espouse? Or, do they not sometimes appear in Parliament, as in a court of justice, by their attorney?

There is, however, another class of Boroughs, in which the Honourable Gentleman may suppose his landed friends will be received with favour. He may indulge the expectation, that many of those, who now court merchants and bankers from London, will select in their stead the landed Gentlemen in the neighbourhood: but this is no less a visionary hope; they must either make themselves acceptable by the same means as are now found efficacious; or the person, who is now content to perform the subordinate duty of agent and manager, will himself be the Member. He is the person immediately known and connected with the electors in small Boroughs; he manages all their affairs; he assists them amidst all their wants and necessities; and, if they exercise a pure and unbiassed choice, to him will it be directed. Then indeed would our Constitution be destroyed: then would the Representatives of the nation no longer represent its property; and the experience of a great and powerful kingdom has sufficiently demonstrated, that, if ever power and property are disunited, the possessors of power will very soon wrest the property from the inert and nerveless hands in which it is vested.

Deeply impressed with a conviction of the danger of the measure, in its present form, I implore the

House to pause before it gives countenance to innovations, whose operation human wisdom cannot foresee. We possess a judicial system so perfect, that no improvement of it has been suggested, even by those who indulge in speculations on all other subjects. The first object of every political association, security of person and property, is enjoyed in a degree to which no other nation ever attained, even at a moment when the ambition and violence of our enemy compels us to maintain a standing army of 200,000 men. A revenue of sixty millions is brought into the Exchequer, at a cheaper rate than any individual can collect his own rents. And if, in so vast an expenditure, some abuses and some frauds have been discovered, let it be remembered, that, even in our own domestic management, some portion of waste is ever united with great wealth; that an anxious desire prevails to correct whatever is faulty; that our Government is conducted on more honourable principles than at any antecedent period; and that Parliament, whatever may be the seeming imperfections attendant on the various modes of election, unites within its walls "every thing illustrious in "rank or descent, in hereditary and acquired opu-"lence, in cultivated talents, in military, civil, naval, "and political distinction, that the country affords *."

* Burke.

If, enjoying such blessings, the people are discontented; if, in such hands, they are no longer willing to repose the management of their affairs, I despair of my country; and must prepare for scenes such as have been exhibited among other nations. Let us not, however, be accessaries to these calamities, by legislating in order to satisfy the people, as it has been termed; or, more plainly speaking, by legislating under the impulse of fear. Let us discharge our duty with firmness and courage. If, upon an impartial examination of our own conduct, we are conscious that there exists among ourselves a taint so foul as to require a radical and fundamental change, let us adopt it; but let us not indulge the vain hope of appeasing popular clamour by countenancing measures at this period, which, at no other, would be deemed wise or expedient.

FINIS.

Printed by W. Clowes,
Northumberland-Court, Strand.